

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

NEW YORK STATE RIFLE AND
PISTOL ASSOCIATION, INC., et. al.,

Plaintiffs,

v.

ANDREW M. CUOMO, et al.,

Defendants.

NOTICE OF MOTION

Case No.: 13-cv-00291-WMS

**NATIONAL RIFLE ASSOCIATION OF AMERICA, INC.’S MOTION FOR LEAVE TO
FILE AN *AMICUS CURIAE* BRIEF IN SUPPORT OF PLAINTIFFS’ MOTION FOR A
PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that the National Rifle Association of America, Inc. (“NRA”), through its undersigned counsel, will move, and hereby does move, this Court, pursuant to this Court’s “broad discretion to grant or deny an appearance of as *amicus curiae* in a given case,” *Citizens Against Casino Gambling in Erie County v. Kempthorne*, 471 F. Supp.2d 295, 311 (W.D.N.Y. 2007), for an Order granting the NRA leave to file an *amicus curiae* brief in support of Plaintiffs’ motion for a preliminary injunction. The NRA reserves the right to file a reply in support of its motion.

The NRA submits herewith a copy of the *amicus curiae* brief it requests leave to file and the Declaration of John G. Schmidt Jr. The NRA waives oral argument on this motion for leave unless the Court orders the motion set down for an oral hearing.

Dated: Buffalo, New York
April 22, 2013

Respectfully submitted,

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**Pro hac vice* application forthcoming

s/John G. Schmidt Jr.
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